IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.516 OF 2004
IN
NOTICE OF MOTION NO.87 OF 2004
IN
WRIT PETITION NO.1279 OF 2002

Mr.Sarjuddin Jamal Chauhan.....Petitioner

Versus
Authorities of Maharashatra Housing
& Area Development Board & ors.....Respondents

Mr. Ratnakar Singh, for the Petitioner.
Mr. G.W. Mattos, A.G.P. for the Respondent No.2
Mr.P.M. Havnur, for Respondent No.3.

CORAM: F.I. REBELLO & S.R.SATHE, JJ.
DATE :6th October, 2004

P.C.:

. It is urged on behalf of the respondent No.3 that the order in Writ Petition was passed without notice to respondent No.3. On behalf of the petitioner it is contended that due notice was served on the respondent No.3. It is not necessary for us to go into that issue as the Motion taken out is not for setting aside the order on the ground that no notice was given. The reliefs as prayed for in the Motion cannot be granted. Notice of Motion rejected. It will be open to the respondent No.3, if in law he is entitled to take out appropriate proceedings for setting aside the order on the ground that he had not been served. Notice of Motion disposed of accordingly.

(F.I. REBELLO, J.)

(S.R. SATHE, J.)